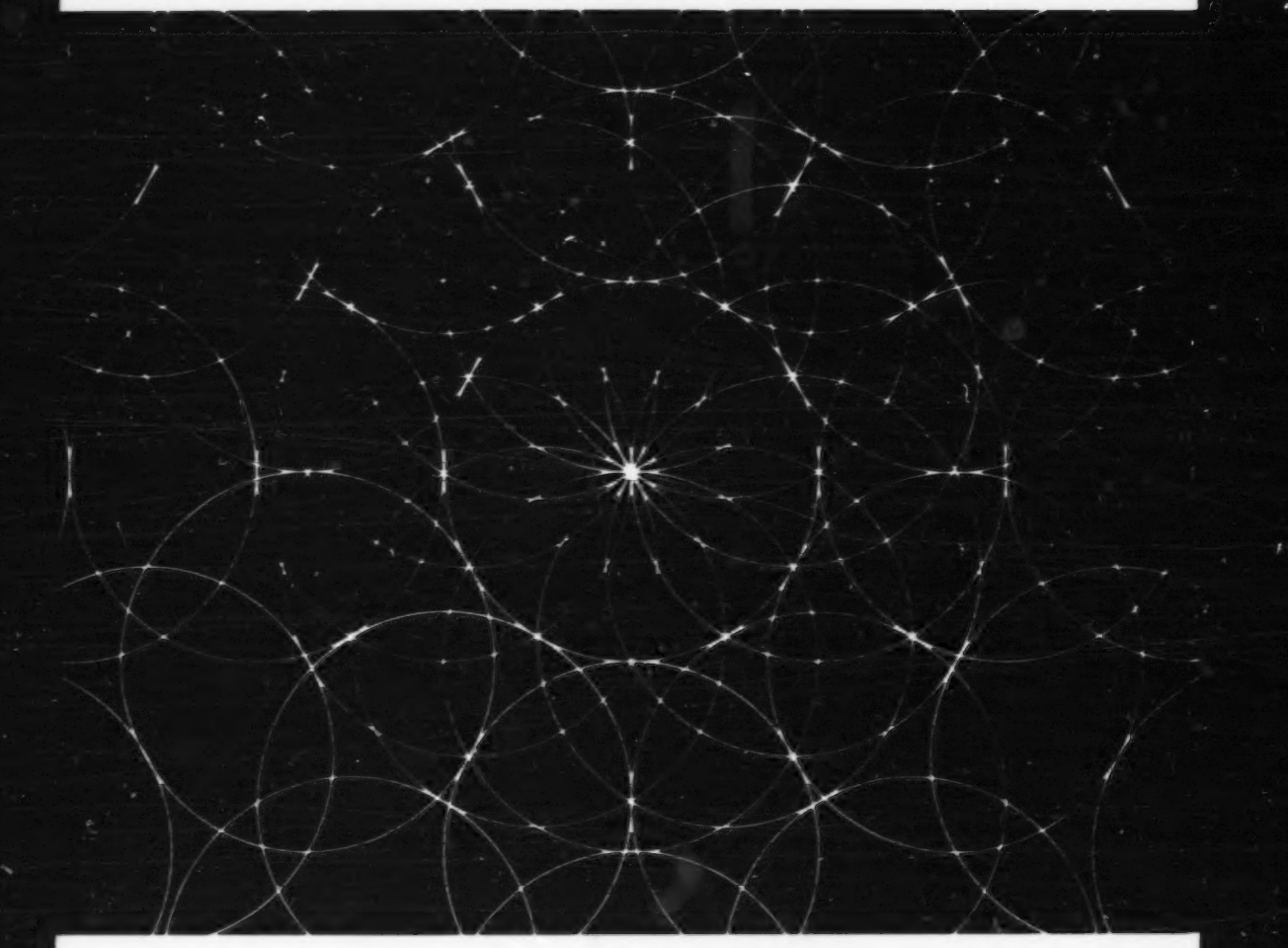
1983

Twelfth Annual Report



MANITOBA LAW REFORM COMMISSION

MANITOBA

LAW REFORM COMMISSION
COMMISSION DE RÉFORME DU DROIT

TWELFTH ANNUAL REPORT

1982 - 1983

April 11, 1983

The Manitoba Law Reform Commission was established by *"The Law Reform Commission Act"* in 1970 and began functioning in 1971.

The Commissioners are:

C.H.C. Edwards, Q.C., *Chairman*
Knox B. Foster, Q.C.
D. Trevor Anderson
George H. Lockwood, C.C.J.
Richard Thompson
Geraldine MacNamara
M. Anne Riley

Chief Legal Research Officer:

Ms. Donna J. Miller

Legal Research Officers:

Ms. Sandra Geddes
Ms. Colleen Kovacs
Ms. Valerie C. Perry
Ms. Janice Tokar

Secretary:

Miss Suzanne Pelletier

The Commission offices are located at 521 Woodsworth Building, 405 Broadway, Winnipeg, Manitoba R3C 3L6. Tel. (204) 944-2896.

MANITOBA

LAW REFORM COMMISSION
COMMISSION DE RÉFORME DU DROIT

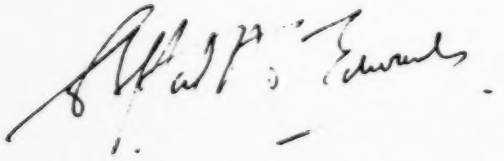
April 11, 1983

Hon. Roland Penner, Q.C.
Attorney-General of Manitoba
104 Legislative Building
Winnipeg, Manitoba
R3C 0V8

Dear Mr. Attorney:

In accordance with section 5(2) of *"The Law Reform Commission Act"*, I submit herewith the 12th Annual Report of the Manitoba Law Reform Commission for the period February 14, 1982 to March 31, 1983.

Yours respectfully



Clifford H.C. Edwards, Q.C.
Chairman

I. INTRODUCTION

The Manitoba Law Reform Commission is pleased to present its Annual Report outlining the progress made by the Commission during the period February 15th, 1982 to March 31, 1983. The Commission decided, after consultation with the Hon. the Attorney-General, to change its year for this Report to March 31 in order to coincide with the end of the fiscal year.

The Manitoba Law Reform Commission was established by *"The Law Reform Commission Act"* to which Royal Assent was accorded on July 21, 1970 and which came into force on October 1, 1970. The statute provides for the Commission to be composed of seven members appointed by the Lieutenant-Governor-in-Council on the recommendation of the minister charged with the administration of the Act. The Hon. the Attorney-General has been the designated minister from the beginning.

In February 1982 the composition of the Commission was substantially changed. His Honour Judge George H. Lockwood and Sister Geraldine MacNamara were appointed for three year terms to fill the vacancies created from the ending of the terms of Mrs. Patricia G. Ritchie and Mr. David G. Newman. Also Mr. Richard Thompson and Mrs. M. Anne Riley were appointed to replace Mrs. Beverly A. Scott and Mr. Victor Rosenman whose terms of one and two years respectively were terminated. The Commission wishes to express its sincere appreciation for the dedicated service of Mrs. Ritchie, Mr. Newman, Mrs. Scott and Mr. Rosenman during the time they served with the Commission.

It was agreed that the terms of the part-time Commissioners would in future end on the 31st of March of their respective termination year, again in order to coincide with the end of the fiscal year and the Commission's reporting year.

The membership of the Commission during the current reporting year is composed of: the Chairman, Clifford H.C. Edwards, Q.C., and members Knox B. Foster, Q.C., Prof. D. Trevor Anderson, Judge George H. Lockwood, Sister Geraldine MacNamara, Mr. Richard Thompson and Mrs. M. Anne Riley.

THE COMMISSION'S MANDATE

The Manitoba Law Reform Commission is a continuing organization whose objects are set out in *"The Law Reform Commission Act"*. The Commission's duties are to inquire into and consider any matter relating to law in Manitoba with a view to making recommendations for the improvement, modernization and reform of law, including, the removal of provisions which are outdated or inconsistent, the maintenance and improvement of the administration of justice, the review of judicial and quasi-judicial procedures under any Act and the development of new approaches to and new concepts of law in keeping with and responsive to the changing needs of society and of individual members of that society.

The Commission is also required by statute to report from time to time to the minister and to make an annual report on the activities of the Commission each year.

In the performance of these duties, the Commission institutes and directs research of a legal nature, including studies and research relating to the laws and legal system and institutions of other jurisdictions in Canada and elsewhere. The Commission may also receive and consider any proposals for the reform of the law that may be made or referred to it by any body or person, and may undertake studies as joint projects with other commissions, agencies or organizations in Canada with the approval of the minister. The minister, however, may assign priority to any project(s) referred to the Commission.

OPERATIONAL OBSERVATIONS

Meetings

During the past year the Commission held twenty-two formal meetings. The minimum statutory requirement mentioned in subsection 7 (1) is four meetings.

Completed Projects

Formal Reports

The following formal reports were submitted to the Attorney-General:

#51 — *"The Survivorship Act"* — dated September 7, 1982

"The Survivorship Act" provides rules for determining who should benefit from an estate when two or more persons die at the same time or in circumstances rendering it uncertain which of them has survived the other or others. The Act normally applies to the estates of family members when simultaneous deaths arise from a motor vehicle or aeroplane accident. The present survivorship legislation provides that the youngest decedent is deemed to survive the older. This rule of survivorship may have disadvantageous results. For example, if a childless married couple die simultaneously and intestate, leaving surviving parents, the present survivorship rule would allow the parents of the younger spouse to receive the whole of the spouses' estate to the exclusion of the parents of the older spouse. The Commission recommends that the present survivorship rule be abolished and be replaced by a rule which would presume that where simultaneous deaths occur, or where there is uncertainty in the order of deaths, each person is deemed to survive the other or others. This rule was also recommended by the Uniform Law Conference of Canada, and has been legislated in Ontario, the Yukon Territories, and in most of the United States. In the view of the Commission this would allow for a more balanced manner of determining succession to property and would more closely resemble the wishes of decedents generally. The Commission makes twelve recommendations pertaining to survivorship legislation in its Report and two draft Bills to implement these are set forth in the Appendices.

#52 — Structure of the Courts; Part I: Amalgamation of the Court of Queen's Bench and the County Courts of Manitoba — dated October 25, 1982

The Commission recommends that the Court of Queen's Bench and the County Courts of Manitoba be merged to form one superior trial court of general jurisdiction. It is proposed that the new court be called Her Majesty's Court of Queen's Bench for Manitoba. In order to ensure the efficiency and accessibility of this new Court, the Commission recommends that there be a system of resident judges and judicial circuits throughout the province. Aside from Brandon, Portage la Prairie and Dauphin, which all presently have resident County Court judges, the Commission recommends that there be a resident judge of the new Court in the North. It is also proposed that instead of having several judicial districts throughout the province, as is the present case, there be only one judicial district but that there be judicial centres designated throughout Manitoba. Aside from the amalgamation of these two section 96 Courts, the Commission also recommends that the Surrogate Courts of Manitoba be amalgamated with the new Court of Queen's Bench. Presently judges of the County Courts act as judges of the Surrogate Courts, which have jurisdiction in relation to wills and estates.

Due to the considerable details involved with implementation, the Commission proposes that there be a transition period of at least six months between the date provincial legislation is enacted and when it becomes effective.

#53 — The Law of Domicile — dated December 1, 1982

There are a number of problems arising from the present law of domicile. First, it is needlessly complex and difficult to apply. As well, there are too many legal fictions for determining a person's domicile or home, with the result that a person may have a domicile in a state or province in which they have never set foot. The law also discriminates against married women, for upon marriage, they take the domicile of their husband and this domicile of dependency continues until they become widowed or divorced. Finally, the domicile of dependency of children may not be appropriate where children do not live with their father.

The Commission recommends legislation to improve the law of domicile. In particular, it recommends that the domicile of dependency of married women be abolished so that generally all married and adult people will have a domicile of choice, independent of that of others. The Report also recommends the abolition of the revival of the domicile of origin in common law, whereby a person's original domicile revives in an interval which may occur between the abandonment of a domicile of choice and the acquisition of another. The revival of the domicile of origin in common law should be abolished as it may result in a person having a domicile in a country with which (s)he is quite unconnected. The Commission also recommends that there be special rules governing the

domicile of children and mentally incompetent persons and these are set forth in the Commission's Report. A commentary, and a draft Bill to implement the Commission's recommendations are contained in an Appendix to the Report.

#54 — Certificates of *Lis Pendens* — dated February 1, 1983

A certificate of *lis pendens* is a document issued by a court certifying that a lawsuit has been commenced which involves some title to or interest in land. The certificate gives notice to prospective purchasers and encumbrancers that any interest acquired by them in land to which a certificate is filed, is subject to any decree or judgment which may issue from that lawsuit. The effect of a certificate of *lis pendens* is to tie up property during the pendency of a lawsuit. This has caused the certificates to be criticized as amounting to "legal extortion" in that they are sometimes employed to extract concessions from the owner/defendant.

The Commission recommends that legislation be enacted so that a person who registers a certificate of *lis pendens* will be liable for any damages sustained by any person where that certificate is registered without reasonable cause. It also proposes that the Court of Queen's Bench be empowered to order an undertaking as to damages as a condition of allowing the continuance of a registration where there is an application to vacate a registration under *"The Queen's Bench Act"*. Recommendations pertaining to the scope and form of certificates of *lis pendens* are also proposed.

#55 — The Structure of the Courts; Part II: The Adjudication of Smaller Claims — dated March 7, 1983

In this second part of its Report on the Structure of the Courts, the Commission generally examines the means to ensure or improve the speedy, inexpensive and appropriate adjudication of smaller claims. Presently, claims which do not exceed $1,000 may be adjudicated in Manitoba by clerks under Part II of *"The County Courts Act"*. The Commission recommends that smaller claims should be heard by legally trained judges. It also proposes that a new Civil Division of the Provincial Judges Court be established to adjudicate smaller claims in the province. The Court should be vested generally with the jurisdiction to hear debt or damage claims which do not exceed $3,000 exclusive of interest, and this jurisdiction should be exclusive subject to some limited exceptions.

Special attention should be given in the new Court to pre-trial services to litigants, many of whom will be self-represented. The Commission proposes that a mediation programme be established in Winnipeg, or another urban centre, on a pilot basis, from which the feasibility of a province-wide mediation system can be assessed.

The Commission proposes that there be no class of plaintiff excluded from the court and that there be no restriction on the representation of

parties by barristers and solicitors. Presently, there is no need to file a statement of defence in the small claims court and the Commission recommends that this procedure be initially adopted in the Rules of Court. Appeals from a decision of the Provincial Judges Court (Civil Division) should be allowed on questions of law and mixed law and fact and the appropriate appeal forum is the Court of Queen's Bench. Recommendations pertaining to admissible evidence, costs, and other procedural and administrative matters are also proposed.

The Commission proposes that there be a period of at least six months between the date legislation is passed and the date the Court is fully constituted and operational to allow time to attend to the details involved with implementation.

Informal Reports

No informal reports were issued during this period.

The Appendix attached to this Report shows the implementation of the Commission's recommendations through legislative enactment or other administrative action.

Work in Progress

1. Administrative Law — reference from the Attorney-General. One of our summer students conducted a survey on the procedures of some of the administrative tribunals within the province. One of our full-time research officers is now working on the subject of judicial review of administrative bodies.
2. *"The Dower Act"* — reference from the Attorney-General. One of our research officers has been fully engaged on this project this year and two draft papers have been presented to the Commission. We hope to be able to publish a report during the coming year.
3. Medical Privilege — reference from the Attorney-General. A background paper was presented by a consultant to the Commission towards the end of this reporting year. This will now be used as the basis for a final report which the Commission expects to publish during the coming year.
4. Periodic Payment of Damages (Structured Settlements) — reference from the Attorney-General. Work on this project had to be delayed this year due to the higher priority given by the Attorney-General to our reports on the Structure of the Courts. We have now received authorization to employ a consultant and the project is being given a higher priority during the coming year.
5. Sterilization of Minors and Mentally Disabled Persons — reference from the Attorney-General. Work on this project continues to be delayed owing to higher priority references from the Attorney-General.

6. Landlord and Tenant — initiated by the Commission. Preliminary work on this project to review the present Landlord and Tenant Act was begun by Mr. P. Knight, a graduate of the Faculty of Law, University of Manitoba, under the supervision of our Chief Legal Research Officer, Ms. Donna Miller. The Attorney-General has now requested that we give a higher priority to this matter and further work will be undertaken this coming year.
7. Legal Representation of Children — reference from the Attorney-General. Work on this project has been delayed owing to higher priority references established by the Attorney-General. We anticipate resuming this project during the coming year.
8. Priority of Liens — reference from the Attorney-General. Work on this project has had to be indefinitely postponed owing to higher priority references and lack of resources.

Personnel

We have been fortunate during the past year to have a full complement of legal research staff. Although Mr. Gene Zazelenchuk resigned during the summer and Ms. Valerie Perry went on leave of absence, we were fortunate to retain the services of Ms. Janice Tokar, Ms. Colleen Kovacs and Ms. Sandra Geddes for the remainder of the year. We wish to thank Mr. Zazelenchuk for his work during the past year with the Commission and wish him well in his new endeavours. We look forward to the return of Ms. Perry in April 1983 on a half-time basis.

Ms. Donna J. Miller continues as the Chief Legal Research Officer of the Commission and has given invaluable service in the many different facets of its operations.

From May to August we were again able to hire two law students for research. Mr. Brian Gordon, a second year student, assisted us in research in our projects relating to survivorship and certificates of *lis pendens*; Mr. Martin Katz, a first year student, provided assistance in the area of administrative law.

Miss Suzanne Pelletier is the Secretary of the Commission and has again earned the Commission's gratitude for her diligent attention to all its administrative and clerical operations. We also wish to thank Mrs. M. Freeman who provided valuable clerical assistance during Miss Pelletier's vacation.

Consultants

Our major project this year has undoubtedly been that dealing with the Structure of the Courts. We were fortunate in being able to secure as our General Consultant in this regard, Harold St.George Stubbs, Q.C., the Secretary Emeritus of The Law Society of Manitoba, and as our special

consultant on constitutional matters, Prof. R. Dale Gibson, of the Faculty of Law, University of Manitoba. The Commission is indebted to both of them for all the help and counsel given.

Ms. Leigh Halprin, who was one of our former Legal Research Officers, kindly agreed to assist in the project relating to Medical Privilege and we are grateful to her for the thorough research she conducted and the paper she prepared in this regard.

The Commission felt the need of a sociologist to assist it in the setting up of a programme for gathering the required information from the various administrative tribunals concerning their procedures in connection with our Administrative Law Project. We were able to secure the services of Dr. William K. Greenaway, the former Chairman of the Department of Sociology of the University of Winnipeg, in this regard and we much appreciated all his guidance and direction.

We have also had wide consultation with the Bench and Bar and various interest groups and organizations in the community on several projects. We have received great help and cooperation from all concerned and would like to place on record our appreciation of this assistance.

LIAISON WITH OTHER ORGANIZATIONS

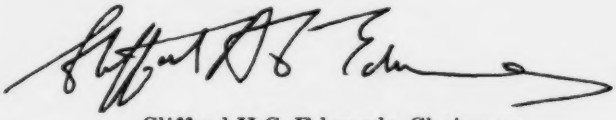
During the past year the Chairman and our Chief Legal Research Officer attended the Uniform Law Conference Annual Meeting in Montebello, Quebec. At the same time they also attended a meeting of the Law Reform Agencies which immediately preceded this conference. This provided an excellent opportunity to discuss with these agencies the various projects underway across the country as well as their different modes of operation. We would place on record our appreciation to these agencies for all the assistance and cooperation we have received from them throughout the year. The Chairman, as one of the Uniformity Commissioners, is taking part in an inter-provincial committee to study the whole question of Products Liability. Prof. E.A. Braid of the Faculty of Law, University of Manitoba, has also kindly agreed to join the Chairman as the other provincial representative on this Committee.

LIAISON WITH THE JUDICIARY AND THE LEGAL PROFESSION

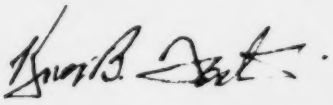
During the past year we have continued to enjoy excellent cooperation from all sections of the judiciary as well as from the academic and practising members of the legal profession. This has been invaluable to us in all our projects and in particular with regard to our major project on the Structure of the Courts.

We are also grateful for the help we have received from the editor of the Manitoba Bar Association's publication, Headnotes & Footnotes, as well as from the staff of the E.K. Williams Library at the Faculty of Law, the Provincial Library, the Law Society's Great Library and the Attorney-General's Library.

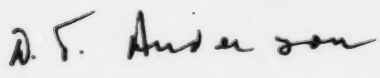
The Commission wishes to express its thanks to the Honourable the Attorney-General, Roland Penner, Q.C., for his helpful support and constant interest in our work.



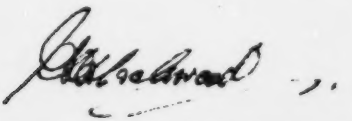
Clifford H.C. Edwards, Chairman



Knox B. Foster, Commissioner

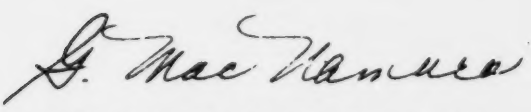


D. Trevor Anderson, Commissioner

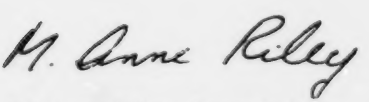


George H. Lockwood, Commissioner

Richard Thompson, Commissioner



Geraldine MacNamara, Commissioner



M. Anne Riley, Commissioner

APPENDIX A

REPORTS OF THE MANITOBA LAW REFORM COMMISSION

	Subject	Date Submitted	Original legislation implementing the Commission's recommendations
#1	Jury Service for Registered Indians	April 7, 1971	An Act to Amend The Jury Act, S.M. 1971, cap. 32, Royal Assent July 27, 1971
#2	Summary Disposition of Builders' and Workmen's Liens	April 13, 1971	An Act to Amend The Builders and Workmen Act, S.M. 1976, cap. 22, Royal Assent June 3, 1976
#3	Disposition of Maintenance Judgments in Land Titles Offices	May 25, 1971	An Act to Amend The Judgments Act S.M. 1972, cap. 4, Royal Assent May 9, 1972
#4	"An Act Respecting Billiard and Pool Rooms" proposed repeal	October 19, 1971	The Statute Law Amendment Act (1974), S.M. 1974, cap. 59, Royal Assent June 14, 1974 (sec. 8)
#5	Recommended Right of Mortgagors to Obtain Annual Statements	October 19, 1971	An Act to Amend The Mortgage Act, S.M. 1972, cap. 59, Royal Assent July 6, 1972
#6	Enactment of a Mineral Declaratory Act	December 20, 1971	The Sand and Gravel Act, S.M. 1972, cap. 34, Royal Assent July 6, 1972
			An Act to Amend The Mines Act (sec. 11), S.M. 1972, cap. 70, Royal Assent July 20, 1972
			An Act to Amend The Real Property Act (secs. 15 and 16), S.M. 1972, cap. 70, Royal Assent July 6, 1972
#7	Powers of Entry, Search and Seizure in The City of Winnipeg Act	January 24, 1972	An Act to Amend The City of Winnipeg Act (secs. 26, 37, 68, 69, 89 and in part sec. 38, 39 and 63), S.M. 1972, cap. 93, Royal Assent July 20, 1972
			(secs. 8, 11, 23, 24, 25, 26, 28, 29, 30, 31, 32, 33, 34, 35, 38, 97 and 98) S.M. 1974, cap. 73, Royal Assent June 10, 1974
1A	Auto Engine Numbers in Section 11 of "The Bills of Sale Act"	May 11, 1971	The Statute Law Amendment Act (sec. 3), S.M. 1972, cap. 81, Royal Assent July 20, 1972
1B	(a) Prospect of Mortgagor's Relief from Provisions of Sec. 20(6) of "The Mortgage Act"	December 29, 1971	(change not recommended)
	(b) Right to have Mortgage Discharged upon payment in full after five years	December 29, 1971	An Act to Amend "The Real Property Act" (sec. 103(1)), S.M. 1972, cap. 37, Royal Assent July 6, 1972

Subject		Date Submitted	Original legislation implementing the Commission's recommendations
1C	Amending provisions as to costs in Part II of "The County Courts Act" to avoid inconsistency with intent of this new legislation	January 12, 1972	An Act to Amend The County Courts Act, S.M. 1971, cap. 38, Royal Assent July 6, 1972
First Annual Report		March 13, 1972	(not applicable)
#8	Section 45 of the Offences Against the Person Act, 1861	July 27, 1972	An Act to Amend The Tortfeasors and Contributory Negligence Act S.M. 1973, cap. 13, Royal Assent May 25, 1973
#9	A Review of "The Privacy Act" with proposed amendments to the Criminal Code of Canada	September 11, 1972	(change not recommended)
#10	The Abolition of Interspousal Immunity in Tort	December 19, 1972	An Act to Amend The Married Women's Property Act, S.M. 1973, cap. 12; An Act to Amend The Tortfeasors and Contributory Negligence Act, S.M. 1973, cap. 13; An Act to Amend The Criminal Injuries Compensation Act, S.M. 1973, cap. 23, Royal Assent May 25, 1973
2A	Comments on draft Bill to Amend "The Jury Act"	April 21, 1972	An Act to Amend The Jury Act (in part), S.M. 1972, cap. 56, Royal Assent July 11, 1972
2B	Relaxation of Limit of Number of Trustees under "The Trustee Act"	June 22, 1972	An Act to Amend The Trustee Act, S.M. 1972, cap. 60, Royal Assent July 11, 1972
2C	Uniformity of Definition of Age as between "The Age of Majority Act" (Man.) and the Criminal Code and the Interpretation Act (Can.)	August 14, 1972	(not applicable for provincial amendment)
2D	Automatic Attachment of Wages for Maintenance Orders	November 27, 1972	An Act to Amend The Garnishment Act S.M. 1974, cap. 8, Royal Assent June 10, 1974
Second Annual Report		March 20, 1973	(not applicable
#11	The Advisability of a Good Samaritan Law	March 8, 1973	(change not recommended)
#12	Sec. 110 of "The Real Property Act" — the immortal Manitoba mortgage	April 11, 1973	An Act to Amend The Real Property Act, S.M. 1974, cap. 44, Royal Assent June 10, 1974
#13	Pre-licensing Education for Real Estate Agents in Manitoba	December 3, 1973	An Act to Amend The Real Estate Brokers Act, S.M. 1975, cap. 23, Royal Assent June 19, 1975

Subject		Date Submitted	Original legislation implementing the Commission's recommendations
#14	Special Enduring Powers of Attorney	January 8, 1974	The Powers of Attorney Act, S.M. 1980, cap. 4, Royal Assent July 9, 1980 (in part)
#15	Administration of Justice Part I — Control of Post-arrest/pre-trial detention	February 26, 1974	Administration of the Public Safety Building in Winnipeg assumed by the Province of Manitoba, effective October 1, 1977; now called "The Winnipeg Remand Centre".
3A	Conferring of matrimonial jurisdiction upon a County Court Judge as a local Judge of The Queen's Bench within the Eastern Judicial District	March 30, 1973	An Act to Amend The Queen's Bench Act, S.M. 1978, cap. 28, Royal Assent July 20, 1978
3B	Correcting recent error in sec. 51 of "The Queen's Bench Act"	September 26, 1973	An Act to Amend The Queen's Bench Act, S.M. 1974, cap. 15, Royal Assent June 10, 1974
3C	Conferring jurisdiction to extend time for payment of fines upon provincial judges other than those who imposed such fines	October 16, 1973	—
3D	Up-dating index to Statutes of Manitoba	October 23, 1973	Indexing commenced
3E	Repeal of sec. 212 of "The Liquor Control Act"	December 19, 1973	Substantial acceptance under s. 16 of an Act to Amend The Liquor Control Act, S.M. 1974, cap. 63, Royal Assent June 14, 1974
Third Annual Report		April, 1974	(not applicable)
#16	Definition of Death	May 6, 1974	An Act to Amend The Vital Statistics Act, S.M. 1975, cap. 5, Royal Assent June 19, 1975
#17	An International Form of Wills for Manitobans	May 6, 1974	An Act to Amend The Wills Act, Act, S.M. 1975, cap. 5, Royal Assent June 19, 1975
#18	The Rule in Saunders v. Vautier	January 8, 1975	Record of House shows Bill being presented within current Session.
#19	The Administration of Justice in Manitoba Part II — Review of The The Jury System	February 11, 1975	An Act to Amend The Jury Act (in part), S.M. 1977, cap. 18, Royal Assent June 18, 1977 "Trial by Jury" — pamphlet published by the Dept. of the Attorney-General
4A	Interprovincial Subpoenas	January 27, 1975	The Interprovincial Subpoena Act, S.M. 1975, cap. 3, Royal Assent June 19, 1975

	Subject	Date Submitted	Original legislation implementing the Commission's recommendations
4B	Enforcement of Custody Orders	January 27, 1975	The Extra-Provincial Custody Orders Enforcement Act, S.M. 1975, cap. 4, Royal Assent June 19, 1975
4C	Statutory Sums	February 11, 1975	Various amendments to Manitoba Statutes (in part)
Fourth Annual Report		April, 1975	(not applicable)
#20	Report on "The Highway Traffic Act"	June 16, 1975	An Act to Amend The Highway Traffic Act, S.M. 1977, cap. 34, Royal Assent June 18, 1977 (in part) An Act to Amend The Highway Traffic Act and The Tortfeasors and Contributory Negligence Act, S.M. 1980, cap. 19, Royal Assent July 9, 1980
#21	The Administration of Justice in Manitoba Part III — Consolidation of Extra-Provincial Judgment Enforcement	January 28, 1976	—
#22	Some Aspects of Fire Insurance Legislation in Manitoba	February 9, 1976	—
#23	Family Law — Part I The Support Obligation	February 27, 1976	The Family Maintenance Act, S.M. 1978, cap. 25, Royal Assent July 20, 1978 (in part)
#24	Family Law — Part II Property Disposition	February 27, 1976	An Act to Amend The Gift Tax Act (Manitoba) and The Succession Duty Act (Manitoba), S.M. 1977, (2nd Session), cap. 2, Royal Assent December 12, 1977 The Marital Property Act, S.M. 1978, cap. 24, Royal Assent July 20, 1978 (in part) An Act to Amend various Acts relating to Marital Property, S.M. 1978, cap. 27, Royal Assent July 20, 1978 (in part) An Act to Amend The Wills Act, S.M. 1980, cap. 7, Royal Assent July 9, 1980
5A	Limitation of Actions for the taking away, conversion or detention of chattels	May 26, 1975	An Act to Amend The Fatal Accidents Act and Limitation of Actions Act, S.M. 1976, cap. 41, ss. 2, 3 and 4, Royal Assent June 11, 1976

Subject		Date Submitted	Original legislation implementing the Commission's recommendations
Fifth Annual Report		March 29, 1976	(not applicable)
#25	The Case for a Provincial Bill of Rights	May 19, 1976	—
#26	Revision of Birth Certificates of Trans-sexual persons	September 13, 1976	—
Sixth Annual Report		March 14, 1977	(not applicable)
7A	The Local Authorities Election Act	May 31, 1977	An Act to Amend The Local Authorities Election Act, S.M. 1980, cap. 48, Royal Assent July 29, 1980
Seventh Annual Report		March 1, 1978	(not applicable)
#27	Limitation of Actions: Time Extensions for Children, Disabled Persons and Others	January 8, 1979	An Act to Amend The Limitation of Actions Act, S.M. 1980, cap. 28, Royal Assent July 29, 1980
#28	Enforcement of Judgments Part I: Exemptions under The Garnishment Act	January 8, 1979	An Act to Amend The Garnishment Act, S.M. 1979, cap. 8, Royal Assent May 11, 1979
#29	Emergency Apprehension, Admissions and Rights of Patients under The Mental Health Act	February 12, 1979	An Act to Amend The Mental Health Act, S.M. 1980, cap. 62, Royal Assent July 29, 1980 (in part)
#30	Confidentiality of Adoption Records	February 12, 1979	An Act to Amend The Child Welfare Act, S.M. 1979, cap. 22, Royal Assent June 15, 1979 (Sec. 60) An Act to Amend The Child Welfare Act, S.M. 1980, cap. 41, Royal Assent July 29, 1980 Establishment of a "Post adoption registry"
8A	Sec. 5 (1) of "The Social Allowances Act"	March 30, 1978	—
Eighth Annual Report		February 12, 1979	(not applicable)
#31	Political Financing and Election Expenses	August 13, 1979	The Elections Finances Act, S.M. 1980, cap. 68, Royal Assent July 29, 1980
#32	Mechanics' Liens Legislation	August 13, 1979	The Builders' Liens Act, S.M. 1980-81, cap. 7, Royal Assent May 26, 1981
#33	Enforcement of Revenue Statutes	August 13, 1979	—

Subject		Date Submitted	Original legislation implementing the Commission's recommendations
#34	Enforcement of Judgments Part III: Exemptions under The Executions Act	October 22, 1979	An Act to Amend The Executions Act, S.M. 1980, cap. 55, Royal Assent July 29, 1980
#35	Estate Claims for Loss of Expectation of Life	October 22, 1979	An Act to Amend The Fatal Accidents Act and The Trustee Act, Act, S.M. 1980, cap. 5, Royal Assent July 9, 1980
#36	Improved Methods of Enforcing Support Orders Against Real Property	November 19, 1979	The Family Law Amendment Act, S.M. 1980, cap. 54, Royal Assent July 29, 1980 (in part)
#37	Systems of Voter Registration	November 26, 1979	The Elections Act, S.M. 1980, cap. 67, Royal Assent July 29, 1980
#38	The One Year Rule for Enforcement of Arrears in Maintenance	January 21, 1980	An Act to Amend The Family Maintenance Act and The Queen's Bench Act, S.M. 1980, cap. 21, Royal Assent July 9, 1980
9A	The Fire Departments Arbitration Act	April 17, 1979	An Act to Amend The Fire Departments Arbitration Act, S.M. 1980, cap. 27, Royal Assent July 29, 1980
9B	Section 7 of The Payment of Wages Act	August 15, 1979	An Act to Amend The Payment of Wages Act, S.M. 1980, cap. 57, Royal Assent July 29, 1980 (in part)
9C	The Seduction Act	October 22, 1979	An Act to Abolish Certain Actions Concerning Status of Individuals, S.M. 1982, cap. 10, Royal Assent May 25, 1982
9D	Section 9 of The Manitoba Evidence Act	November 6, 1979	An Act to Amend The Manitoba Evidence Act, S.M. 1980, cap. 26, Royal Assent July 19, 1980
9E	The Wills Act and Ademption	November 20, 1979	An Act to Amend The Wills Act, S.M. 1980, cap. 7, Royal Assent July 9, 1980
9F	The term "illegitimate"	December 4, 1979	(change not recommended)
Ninth Annual Report		February 25, 1980	(not applicable)
#39	Controverted Elections	April 21, 1980	—
#40	Enforcement of Judgments, Part II: Exemptions under "The Judgments Act"	April 21, 1980	—
#41	The Statute of Frauds	August 11, 1980	Bill #25, An Act to Repeal the Statute of Frauds, 2nd Session, 32nd Legislature, 31 Elizabeth II, 1982
#42	Occupiers' Liability	August 11, 1980	Bill #20, The Occupiers' Liability Act, 2nd Session, 32nd Legislature, 31 Elizabeth II, 1982

Subject		Date Submitted	Original legislation implementing the Commission's recommendations
#43	The Wills Act and the Doctrine of Substantial Compliance	September 8, 1980	Bill #22, An Act to Amend The Wills Act, 2nd Session, 32nd Legislature, 31 Elizabeth II, 1982
#44	The General Register	September 22, 1980	—
#45	Simplified Mortgage	December 15, 1980	(legislative amendment not required)
10A	Municipal Assessment of Personal Property	February 26, 1980	(referred to Special Committee)
10B	The Marriage Settlement Act	October 9, 1980	The Statute Law Amendment Act, S.M. 1980-81, cap. 26, Royal Assent May 26, 1981 (sec. 22)
Tenth Annual Report		February 16, 1981	(not applicable)
#46	Conflict of Interest of Municipal Councillors	January 4, 1982	—
#47	Prejudgment Compensation on Money Awards: Alternatives to Interest	January 4, 1982	—
#48	Prescriptive Easements and Profits-à-prendre	January 18, 1982	—
#49	The Rules Against Accumulations and Perpetuities	February 12, 1982	Record of House shows Bill being presented within current Session.
#50	Investment Provisions under "The Trustee Act"	February 12, 1982	Record of House shows Bill being presented within current Session.
11A	Parents' Maintenance Legislation	March 3, 1981	—
11B	Provincial Offences Procedures	June 29, 1981	An Act to Amend The Summary Convictions Act, S.M. 1972, cap. 24, Royal Assent June 30, 1982
11C	"The Remembrance Day Act"	January 28, 1982	—
Eleventh Annual Report		February 14, 1982	(not applicable)
#51	"The Survivorship Act"	September 7, 1982	Bill #19, The Survivorship Act, 2nd Session, 32nd Legislature, 31 Elizabeth II, 1982
#52	Structure of the Courts, Part I: Amalgamation of the Court of Queen's Bench and the County Courts of Manitoba	October 25, 1982	—
#53	The Law of Domicile	December 1, 1982	—
#54	Certificates of *Lis Pendens*	February 1, 1983	—
#55	Structure of the Courts, Part II: The Adjudication of Smaller Claims	March 7, 1983	—

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